IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

Bail Appl..No. 7761 of 2007()

CR.87/07 OF EZHUKONE EXCISE RANGE

PETITIONER/ACCUSED

SURESH, S/O.THANKAPPAN PILLAI,
REJANI VILASAM VEEDU, KUDAVATTOOR MURI,
VELIYAM VILLAGE.

BY ADV. SRI.PREMCHAND R.NAIR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
EXCISE INSPECTOR, EZHUKONE EXCISE RANGE
REPRESENTED THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7761 OF 2007

Dated this the 17th day of December, 2007

O R D E R

Application for regular bail. The petitioner is the 1st accused. He along with the co-accused was found to keep 525 (15 x 35) litres of wash and 15 litres of arrack in his possession when he was intercepted and arrested by the excise party on 23/11/2007. The petitioner's partner in crime allegedly took to his heels and could not be arrested. Investigation is in progress. He has no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner

shall be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 31/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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